

# Changes in Caribou Hunting Regulations in Unit 23

## Frequently Asked Questions on Closure of Federal Public Lands to Non-Federally Qualified Users July 2016



Caribou hunting regulations have CHANGED in Game Management Unit 23 for some hunters for the current regulatory year. Beginning July 1, 2016, Federal public lands in Unit 23 are CLOSED to caribou hunting by non-Federally qualified users for one year. This is the result of the Federal Subsistence Board approving Wildlife Special Action WSA16-01 in April 2016, a request submitted by the Northwest Arctic Subsistence Regional Advisory Council.

This fact sheet answers common questions about this closure. The main highlights are:

- Only “Federally qualified users” (see FAQs below for more info) are allowed to hunt caribou on Federal public lands during this closure.
- “Federal public lands” in Unit 23 are lands and waters managed by the National Park Service, U.S. Fish & Wildlife Service, and Bureau of Land Management. Other State and private lands, including Alaska Native corporation lands (NANA and KIC lands) are NOT subject to this closure.
- This ONLY applies to caribou hunting.
- This ONLY applies to Game Management Unit 23.
- This closure is in effect for one regulatory year (July 1, 2016 through June 30, 2017).
- National Park Service lands have additional restrictions on eligibility to hunt on Cape Krusenstern National Monument, Kobuk Valley National Park and Gates of the Arctic National Park (see #2 below for more information).

For more information, please contact the appropriate land manager below:

<b>National Park Service</b> Lois Dalle-Molle Acting Superintendent (907) 442-3890 lois_dalle-molle@nps.gov	<b>U.S. Fish &amp; Wildlife Service</b> Susan Georgette Refuge Manager (907) 442-3799 susan_georgette@fws.gov	<b>Bureau of Land Management</b> Bruce Seppi Biologist (907) 267-1282 bseppi@blm.gov
---	---	--



### **1. Who is eligible to hunt caribou on federal public lands in Unit 23?**

Beginning July 1, 2016, ONLY “Federally qualified users” are eligible to hunt caribou on Federal public lands in Game Management Unit 23. “Federally qualified users” are rural residents who have been determined by the Federal Subsistence Board to have a customary and traditional use of caribou in Unit 23 (see #2 for more information).

### **2. Who is a “Federally qualified user” for caribou in Unit 23?**

You must have your primary, permanent place of residence in one of the following units or communities to be a “Federally qualified user” eligible to hunt caribou on Federal public lands in Unit 23:

Eligible Game Management Units	This includes but is not limited to these communities:
<b>Unit 21D (west of the Koyukuk and Yukon Rivers and Galena)</b>	Galena, Kaltag, Koyukuk, and Nulato
<b>Unit 22</b>	Brevig Mission, Council, Elim, Gambell, Golovin, Koyuk, Little Diomed, Nome, Saint Michael, Savoonga, Shaktoolik, Shishmaref, Stebbins, Teller, Unalakleet, Wales, and White Mountain
<b>Unit 23</b>	Ambler, Buckland, Deering, Kiana, Kivalina, Kobuk, Kotzebue, Noatak, Noorvik, Point Hope, Selawik, and Shungnak
<b>Unit 24 (including residents of Wiseman but not including other residents of the Dalton Highway Corridor Management Area)</b>	Alatna, Allakaket, Anaktuvuk Pass, Bettles, Evansville, Hughes, Huslia, Wiseman
<b>Unit 26A</b>	Atkasuk, Barrow, Nuiqsut, Point Lay, and Wainwright

Anyone permanently residing in a Game Management Unit NOT on this list, including areas such as Anchorage, Fairbanks, Mat-Su Valley, Kenai Peninsula, Juneau, etc., is a “non-Federally qualified user” and is NOT eligible to hunt caribou on Federal public lands in Unit 23 beginning July 1, 2016. This includes former residents (both Alaska Native and non-Native) of the units listed above, even if they grew up in those units. Non-Federally qualified users may still hunt caribou in Unit 23 on State-managed lands and private lands.

IMPORTANT NOTE: The National Park Service has additional restrictions on who can hunt for any species in Cape Krusenstern National Monument, Kobuk Valley National Park, and Gates of the Arctic National Park. These areas are open ONLY to subsistence hunters who reside in “resident zone communities.” For Cape Krusenstern National Monument and Kobuk Valley National Park, “resident zone communities” include all communities within the NANA region. For Gates of the Arctic National Park, “resident zone communities” include the communities of Ambler, Kobuk, Shungnak, Anaktuvuk Pass, Nuiqsut, Wiseman, Bettles/Evansville, Alatna, Allakaket, and Hughes.

### **3. Where does this closure apply?**

This closure applies to “Federal public lands.” Under Federal law, Federal public lands in Unit 23



include: 1) all Federal land, and 2) **all waters** within and adjacent to the external boundaries of national wildlife refuges (Selawik National Wildlife Refuge) and National Park Service units (Cape Krusenstern National Monument, Kobuk Valley National Park, Noatak National Preserve, and the portions of Gates of the Arctic National Park and Preserve and Bering Land Bridge National Preserve within Unit 23).

On Bureau of Land Management (BLM) lands, the closure applies to BLM lands and to non-navigable waters adjacent to BLM lands. Please see the enclosed map for general location of Federal public lands in Unit 23; contact the respective land manager for information about specific areas.

#### **4. How long will this closure be in effect?**

Unless rescinded earlier, this closure of caribou hunting to non-Federally qualified users is in effect for one regulatory year beginning July 1, 2016 through June 30, 2017.

#### **5. If I am NOT eligible to hunt caribou, can I help someone who is eligible?**

If you are not eligible to hunt caribou, you can be present but CANNOT participate in the taking of caribou on Federal public lands in Unit 23. Once the take is complete, you may assist the hunter with the cleaning, salvage, or processing of a legally harvested animal. Please see the definitions section at the end of this fact sheet for the definition of “taking” or consult with the appropriate Federal land manager.

#### **6. If I'm eligible to hunt, can I send or give caribou to people not eligible to hunt?**

Yes. You can share legally taken caribou with whoever you want.

#### **7. Can a non-Federally qualified user take caribou from a boat or while caribou are swimming?**

A non-Federally qualified user CANNOT take caribou in or from the water in places where rivers and water bodies are subject to Federal subsistence regulations (see #3). This includes **all waters** within the exterior boundaries of national parks, national preserves, national monuments, and national wildlife refuges in Unit 23. These waters are considered “Federal public lands” and are closed to the taking of caribou beginning July 1, 2016 by non-Federally qualified users.

The regulations are different for Bureau of Land Management (BLM) lands. The closure applies to BLM lands and to non-navigable waters adjacent to BLM lands. In areas generally under BLM management, such as the Squirrel River drainage, rivers or water bodies adjacent to lands owned or selected by the State of Alaska or Alaska Native corporations or other private lands are not subject to this closure. This includes much of the lower Squirrel River corridor. This means that non-Federally qualified users are not prohibited from hunting swimming caribou in waters adjacent to State or Alaska Native corporation lands in the Squirrel River area, if they otherwise would be allowed to do so. Please contact BLM for more details.

#### **8. Can a non-Federally qualified user take caribou on gravel bars along navigable waters below the “mean (or ordinary) high water mark” when the adjacent uplands are Federal public lands?**



When the adjacent uplands are Federal public lands, the strip of land—often a gravel or mud bar—between the edge of a river and the “mean high water mark” is open **in some areas** to caribou hunting by non-Federally qualified users. The following are general guidelines; non-Federally qualified users are strongly encouraged to contact the respective Federal agency for more information prior to hunting.

- National parks and monuments (including waters and gravel bars) are closed to all hunting except by those eligible under National Park Service and Federal subsistence regulations.
- Non-Federally qualified users are allowed to hunt caribou between the edge of a river and the mean high water mark along navigable waters in the following areas during this closure:
  - Noatak National Preserve
  - Bering Land Bridge National Preserve within Unit 23
  - Gates of the Arctic National Preserve within Unit 23
  - Selawik National Wildlife Refuge
  - Bureau of Land Management lands

**PLEASE NOTE:** In the places listed above where non-Federally qualified users are allowed to hunt caribou between the edge of a river and the mean high water mark, both the hunter AND the caribou must be *above* the actual water line but *below* the mean high water mark for the harvest to be legal. **Hunters are strongly urged to use caution and extremely good judgment if hunting in this narrow strip of land to avoid the risk of violating the law.**

### **9. How do I know where the “mean high water mark” is?**

In the field, the “mean (or ordinary) high water mark” generally means where vegetation starts along a water body. The technical definition of mean (or ordinary) high water mark is defined at the end of this fact sheet.

### **10. Can a non-Federally qualified user who legally takes a caribou below the mean high water mark bring their game back to a camp on Federal public lands above the mean high water mark?**

Yes, but the hunter should have proof that the caribou was taken below the mean high water mark. A cell phone photo of the kill site is one way to do this.

---

#### DEFINITIONS

**Family** means all persons related by blood, marriage, or adoption or any other person living within the household on a permanent basis (from 50 CFR 100.4).

**Take or taking** as used with respect to fish or wildlife, means to pursue, hunt, shoot, trap, net, capture, collect, kill, harm, or attempt to engage in any such conduct (from 50 CFR 100.4).

The **ordinary high water mark** on a non-tidal river is the line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impression on the bank; shelving; changes in the character of soil; destruction of terrestrial vegetation; the presence of litter and debris; or other appropriate means that consider the characteristics of the surrounding areas [from 33 CFR 329.11(a)(1)].





